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C O N F I D E N T I A L SECTION 01 OF 02 OTTAWA 001713

SIPDIS

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SUBJECT: LIBERAL MP QUILTS CAUCUS OVER HANDLING OF SAME-SEX MARRIAGE BILL

Classified By: POLMINCOUNS BRIAN FLORA, REASON 1.4 (B) (D)

(C) 1. Summary: MP Pat O'Brien quit the Liberal caucus today to sit as an independent while MP Todd Russell, who was elected in the Labrador byelection, was seated as a Liberal. This brings the Liberal/NDP and Conservative/Bloc totals to 152 each, with four independents. O'Brien left the caucus because of the Liberal's management of the same-sex marriage legislation, which he believes is being fast-tracked through Parliament without proper debate and consideration. O'Brien said that he was voting against the legislation, not the government, but indicated that he would not be averse to bringing the government down if necessary to stop the same-sex bill. His one vote did not appear to embolden the Opposition to try again to press a no-confidence motion, but it will certainly cause the Liberals to continue to try to please all parties as the session winds down. End Summary

2. (SBU) Liberal MP Pat O'Brien (London-Fanshawe, Southern Ontario) held a press conference this morning to announce that he would be leaving the Liberal Party to sit as an independent. O'Brien explained that he was ready to quit the caucus over a month ago but reconsidered at the insistence of the Prime Minister, who promised him that the government would hold full hearings on bill C-38 (same-sex unions) and would allow all views to be fully aired. The truth, O'Brien said, is not what you say but what you do, and the hearings were not held to his satisfaction. He went on to say that he has sat on enough different committees to know when hearings are fairly and impartially conducted. In the hearings on same-sex marriage the committee would often call witnesses at the last minute, then limit the time they were allowed to testify, and then go on to berate them during their testimony for their views. He believes this is all part of an attempt to fast-track the legislation without proper consideration.

3. (U) O'Brien said he first became energized about the issue when the Ontario judicial system pre-empted the ongoing work of the Parliamentary committee in 2003 and simply redefined marriage for the province. This truncated the work of the committee, which did not even go on to make its report. "From that day forward," O'Brien said, "I became a lot less proud to be a Liberal." He said he simply cannot accept the direction the Liberal Party is going on this and other key social issues.

4. (SBU) O'Brien said he will do everything he can to stall and ultimately defeat the same-sex legislation. The first question asked of him by a reporter was whether he would vote against the government in a no-confidence vote, to which he answered that he has not yet decided. He reiterated, however, that he would take every action possible to defeat this legislation, emphasizing that he was against the legislation and not the government. When asked whether he would be joining the Conservatives, O'Brien said that he has listened to the Conservatives broadly and does find their positions on many social issues to be closer to his, but that he doesn't anticipate joining them. He may have given a further clue to his intentions later on, however, when he said that he really believes that the same-sex issue should be decided at the polls, and not in Parliamentary committees. He again said that he would take any democratic option to ensure that the legislation does not pass.

5. (SBU) Liberal MP Todd Russell, who won the Labrador byelection, was seated today, bringing the numbers to the following:

Liberals --	133
NDP	19
Subtotal	152

Conservatives	98
Bloc Quebecois	54
Subtotal	152

Independents	4	(Chuck Cadman, David Kilgour, Carolyn Parrish, Pat O'Brien)
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If one takes out Speaker Milliken but adds in declared Liberal supporter Parrish, the two sides are equal, and any confidence vote would be in the hands of the three remaining independents. If Kilgour stays in the no-confidence category and Cadman says in the confidence column, a confidence vote

with all members present would then come down to O'Brien. Media have been speculating throughout the day that there may be other Liberal members who could leave the caucus over the issue -- Tom Wappell has been mentioned and there are as many as 35 Liberals who are opposed to the legislation.

16. (C) Comment: All this is not to imply that the government is closer to falling or that the Conservatives will try again to bring the government down. At a reception for the Aga Khan, the wife of Conservative leader Stephen Harper told PolMinCouns that there is little likelihood of a summer election. But O'Brien's leaving the Liberals is a definite boost for the Conservatives, and certainly will keep the puck in play for the rest of the match. If anything this will be a wake-up call for the Liberals, who find themselves in a still tenuous minority position. How they treat their NDP colleagues and the NDP budget, how they manage the same-sex legislation, and how carefully they tread on ethical issues, will all be important to maintaining their razor thin margin in this minority Parliament.

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